

ग्रसाधः रग

# EXTRAORDINARY

भाग П---वाद 1

PART II-Section 1

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पुष्ठ सं्या वी जाती है जिससे कि यह झलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation,

### MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 31st December, 1971/Pausa 10, 1893 (Saka)

The following Act of Parliament received the assent of the President on the 30th December, 1971, and is hereby published for general information:--

## THE CONSTITUTION (TWENTY-SEVENTH AMENDMENT) ACT, 1971

[ 30th December, 1971 ]

An Act further to amend the Constitution of India.

BE it enacted by Parliament in the Twenty-second Year of the Republic of India as follows: -

1. (1) This Act may be called the Constitution (Twenty-seventh Short Amendment) Act, 1971.

title and commen-

- (2) This section and section 3 shall come into force at once and the cement. remaining provisions of this Act shall come into force on such date, being a date not earlier than the day appointed under clause (b) of section 2 of the North-Eastern Areas (Reorganisation) Act, 1971, as the Central Government may; by notification in the Official Gazette, appoint.
- 2. In article 239A of the Constitution, in clause (1), for the words Amend-"Goa, Daman and Diu, and Pondicherry", the words "Goa, Daman and ment of article Diu, Pondicherry and Mizoram" shall be substituted. 239A.
- 3. After article 239A of the Constitution, the following article shall Insertion be inserted, namely:--

of new article 239B.

Power of administrator to promulgate Ordınances during recess of Legislature.

"239B. (1) If at any time, except when the Legislature of a Union territory referred to in clause (1) of article 239A is in session, the administrator thereof is satisfied that circumstances exist which render it necessary for him to take immediate action. he may promulgate such Ordinances as the circumstances appear to him to require:

Provided that no such Ordinance shall be promulgated by the administrator except after obtaining instructions from the President in that behalf:

Provided further that whenever the said Legislature is dissolved, or its functioning remains suspended on account of any action taken under any such law as is referred to in clause (1) of article 239A, the administrator shall not promulgate any Ordinance during the period of such dissolution or suspension.

- (2) An Ordinance promulgated under this article in pursuance of instructions from the President shall be deemed to be an Act of the Legislature of the Union territory which has been duly enacted after complying with the provisions in that behalf contained in any such law as is referred to in clause (1) of article 239A, but every such Ordinance-
  - (a) shall be laid before the Legislature of the Union territory and shall cease to operate at the expiration of six weeks from the reassembly of the Legislature or if, before the expiration of that period, a resolution disapproving it is passed by the Legislature, upon the passing of the resolution; and
  - (b) may be withdrawn at any time by the administrator after obtaining instructions from the President in that behalf.
- (3) If and so far as an Ordinance under this article makes any provision which would not be valid if enacted in an Act of the Legislature of the Union territory made after complying with the provisions in that behalf contained in any such law as is referred to in clause (1) of article 239A, it shall be void.".

4. In article 240 of the Constitution,—

(a) in clause (1),—

- (i) after entry (e), the following entries shall be inserted, namely: ----
  - "(f) Mizoram;
  - (g) Arunachal Pradesh:";
- (ii) in the proviso, for the words "Union territory of Goa, Daman and Diu or Pondicherry", the words "Union territory of Goa, Daman and Diu, Pondicherry or Mizoram" shall be substituted;
- (iii) after the proviso as so amended, the following further proviso shall be inserted, namely:-

"Provided further that whenever the body functioning as a Legislature for the Union territory of Goa, Daman and Diu, Pondicherry or Mizoram is dissolved, or the functioning of that body as such Legislature remains suspended on account of any action taken under any such law as is referred to in clause (1) of article 239A, the President may, during the period of such dissolution or suspension, make regu-

Amendment of article 240.

lations for the peace, progress and good government of that Union territory.";

- (b) in clause (2), for the words "any existing law", the words "any other law" shall be substituted.
- 5. After article 371B of the Constitution, the following article shall be insertion of new article 371C.
  - '371C. (1) Notwithstanding anything in this Constitution, the Special President may, by order made with respect to the State of Manipur, provision provide for the constitution and functions of a committee of the Legislative Assembly of the State consisting of members of that State of Assembly elected from the Hill Areas of that State, for the modifications to be made in the rules of business of the Government and in the rules of procedure of the Legislative Assembly of the State and for any special responsibility of the Governor in order to secure the proper functioning of such committee.
  - (2) The Governor shall annually, or whenever so required by the President, make a report to the President regarding the administration of the Hill Areas in the State of Manipur and the executive power of the Union shall extend to the giving of directions to the State as to the administration of the said areas.

Explanation.—In this article, the expression "Hill Areas" means such areas as the President may, by order, declare to be Hill Areas.'.

N. D. P. NAMBOODIRIPAD, Joint Secy. to the Govt. of India.

#### CORRIGENDUM

THE WEST BENGAL MOLASSES CONTROL (RE-ENACTING) ACT, 1971 (President's Act 25 of 1971)

(As published in the Gazette of India, Extraordinary, Part II, Section 1, dated the 30th December, 1971).

In Reasons for the Enactment, in paragraph 2 and 3, for "West Bengal State Legislature (Delegation of Powers) Act, 1970 (17 of 1970)" read "West Bengal State Legislature (Delegation of Powers) Act, 1971 (31 of 1971)".